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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

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7 DONTE JENKINS,

8 Plaintiff(s),

Case No. 2:18-CV-820 JCM (CWH)

9 v.

ORDER

10 JOE LOMBARDO, et al.,

11 Defendant(s).

12  
13 Presently before the court is Magistrate Judge Hoffman's report and recommendation  
14 ("R&R"). (ECF No. 5).

15 Judge Hoffman recommends dismissing the instant action for pro se plaintiff Gervonn  
16 McCurdy's failure to comply with the court's order. *Id.* at 1 (referring to ECF No. 4). The court  
17 instructed plaintiff to file an application to proceed in forma pauperis or to pay the filing fee in  
18 this case by June 20, 2018. (ECF No. 4). To date, plaintiff has not complied with the court's  
19 order, despite the court's warning that failure to do so would result in a recommendation that his  
20 case be dismissed. (ECF No. 5 at 1). Judge Hoffman indicates that plaintiff "appears to have  
21 abandoned this case." *Id.*

22 This court "may accept, reject, or modify, in whole or in part, the findings or  
23 recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects  
24 to a magistrate judge's report and recommendation, then the court is required to "make a de novo  
25 determination of those portions of the [report and recommendation] to which objection is made."  
26 28 U.S.C. § 636(b)(1).

27 Where a party fails to object, however, the court is not required to conduct "any review at  
28 all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149

1 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a  
2 magistrate judge's report and recommendation where no objections have been filed. *See United*  
3 *States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review  
4 employed by the district court when reviewing a report and recommendation to which no  
5 objections were made).

6 Nevertheless, this court conducted a *de novo* review to determine whether to adopt the  
7 recommendation of the magistrate judge. Upon reviewing the recommendation and attendant  
8 circumstances, this court finds good cause appears to adopt the magistrate judge's findings in  
9 full.

10 Accordingly,

11 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Judge Hoffman's R&R  
12 (ECF No. 5) be, and the same hereby is, ADOPTED.

13 IT IS FURTHER ORDERED that plaintiff's complaint is hereby DISMISSED without  
14 prejudice.

15 The clerk is instructed to enter judgment and close the case accordingly.

16 DATED March 10, 2020.

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UNITED STATES DISTRICT JUDGE